

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, MARCH 7, 2001**

A. ROLL CALL

The Regular City Council meeting of March 7, 2001 was called to order by Mayor Nakanishi at 7:02 p.m.

Present: Council Members – Hitchcock, Howard, Land, Pennino and Mayor Nakanishi

Absent: Council Members – None

Also Present: City Manager Flynn, City Attorney Hays and City Clerk Blackston

B. INVOCATION

The invocation was given by Pastor Gene Napier, Temple Baptist Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Nakanishi.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 Proclamations – None

D-3 (a) Jennifer Walth, member of the Lodi Arts Commission, updated the City Council on the many activities and accomplishments of the Arts Commission.

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E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Pennino, Howard second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

E-1 Claims were approved in the amount of \$3,492,713.55.

E-2 The minutes of January 31, 2001 (Town Hall Meeting), February 7, 2001 (Regular Meeting), February 13, 2001 (Special Meeting), and February 14, 2001 (Special Meeting), were approved as written.

E-3 Adopted Resolution No. 2001-54 approving the purchase of 22 portable tire deflation devices using existing State Vehicle Theft Funding in the amount of \$13,863.04.

E-4 Adopted Resolution No. 2001-55 awarding the bid for the purchase of forty Holophane PrismaSphere® globe-style luminaires to the low bidder, Wille Electric Company, of Stockton, in the amount of \$21,868.51.

E-5 Adopted Resolution No. 2001-56 waiving a minor bid irregularity and awarding the contract for Armory Park Field Lighting, 333 N. Washington Street, and Softball Complex Field Lighting, 401 N. Stockton Street, to Bockmon & Woody Electric Company, Inc., of Stockton, in the amount of \$113,019.97; and appropriated funds in accordance with staff recommendation.

E-6 "Authorize the City Manager to execute a professional services agreement with SNG & Associates, Inc., to provide professional staff support services for the Development Services Section of the Public Works Department" was **removed from the Consent Calendar and discussed and acted upon under the Regular Calendar**.

E-7 Adopted Resolution No. 2001-57 authorizing the City Manager to execute a professional engineering services agreement with Nolte Associates, Inc., and appropriated funds for the Westside Drainage Study.

- E-8 Authorized the City to join the amicus brief in the case of Robinson v. Solano County, 218 F.3d 1030 (9<sup>th</sup> Cir.2000).
- E-9 Set Public Hearing for March 21, 2001 to adopt resolution accepting the Oliver Tecklenburg/William Beckman Reorganization Proposal to annex approximately 27 acres to the City of Lodi with concurrent detachments from the Woodbridge Rural County Fire Protection District, Northern San Joaquin County Water Conservation District, and Road District No. 4.
- E-10 Set Public Hearing for April 18, 2001 to consider updating Development Impact Fees for water, wastewater collection, storm drainage, police, fire, parks and recreation, and general City facilities; and to consider amendments to Title 15, Section 64 of the Lodi Municipal Code.
- E-11 "Authorize an increase of \$3,000 to Council Member Hitchcock's Travel and Business Expense account from the contingency fund for the purpose of representing the City on various commissions, state policy and national committees" was **removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.**
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F. PUBLIC HEARINGS

- F-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Nakanishi called for the Public Hearing to consider and approve community input and proposals for uses of the City's 2001-2002 federal allocation of Community Development Block Grant (CDBG) and HOME funds.

NOTE: Due to a potential conflict of interest, Council Member Land abstained from discussion and voting on the above matter as it related to Lodi House, due to his participation on the Board of Directors.

Community Improvement Manager Joseph Wood reported that the City would be receiving approximately \$767,000 in CDBG funds from the federal government and \$241,000 in HOME funds. The Department advertised for and received applications for the funding December through January 2001. Requests totaled \$807,212 for CDBG funds and \$135,000 for HOME funds.

Mr. Wood reviewed CDBG fund requests as follows:

- Parks and Recreation Department -- \$25,000 for an Americans with Disabilities Act (ADA) Master Plan for the Grape Bowl; \$50,000 for Armory Park bleacher improvements; and \$50,000 for Armory building restroom disability retrofit
- Public Works Department -- \$100,000 for handicap ramp retrofits throughout the City
- Lodi Boys and Girls Club -- \$109,551 for minor renovations, gym floor replacement, other maintenance and system replacements
- Lodi House -- \$90,000 to complete the acquisition of property
- Stockton Mary Graham Children's Shelter -- \$20,000 toward replacement and reconstruction of the facility
- Women's Center of San Joaquin County, Lodi Branch -- \$11,500 for administrative offices
- Community Development Department -- \$196,790 for the Home Buyers Assistance Program; and \$10,000 for an east side clean up project
- Family Law Service Center -- \$7,800 to provide legal assistance to low- and moderate-income individuals
- San Joaquin County Foodbank -- \$10,000
- Greater Stockton Emergency Food Bank -- \$25,000 to purchase a 25-foot refrigerated truck
- Lodi Community Service Center -- \$5,000 for Dial-A-Ride and Grapeline pass system for low- and moderate-income individuals
- Administration Costs -- \$121,571 to cover salary costs for administering the Fair Housing program

Mr. Wood recommended approval for all requests with the exceptions of: 1) Boys and Girls Club – the recommended amount for approval was decreased to \$96,761 because some activities requested were deemed ineligible through HUD guidelines; 2) Women's Center – decreased recommended amount to \$9,000, due to certain ineligible requests; and, 3) Greater Stockton Emergency Food Bank – staff recommends denial of request, as the truck would be used on a countywide basis; however, Lodi was the only funding source requested for the vehicle purchase.

Mr. Wood reviewed HOME requests for funding as follows:

- Affordable Renovated California Housing -- \$75,000 for acquisition of properties on the east side
- Habitat for Humanity -- \$60,000 to acquire property for low- to moderate-income housing
- Community Development Department -- \$241,495 for Housing Assistance Program, Down Payment Assistance Program, and Housing Rehabilitation Program

Mayor Pro Tempore Pennino encouraged the Women's Center and HOME projects to take advantage of the Electric Utility's energy efficiency programs.

Council Member Howard disclosed that she spoke with a representative from the Mary Graham Children's Shelter and was informed that a large percentage of their clients are children from the Lodi area.

#### Hearing Opened to the Public

- Paul Rengh, CEO of the San Joaquin Food Bank, 704 Industrial Park Drive, Manteca, reported that they have provided groceries for low-income individuals for the past 25 years. Last year the Food Bank distributed 380,000 pounds of food in the City of Lodi with a value of \$569,000. They served 192 low-income seniors in Lodi through their Senior Brown Bag program, and 100 Lodi students through their Food For Thought program.
- Georgette Hunefeld, Mary Graham Shelter representative, 500 W. Hospital Road, French Camp, stated that 1,400 children come to the shelter each year seeking emergency or protective care as a result of abuse, abandonment, or exploitation. To date the shelter has received \$8.1 million toward the \$11 million needed to replace their facilities. Still needed to be built are the Child Advocacy Center and the Visitation Center. Last year 180 Lodi children were referred to the shelter.
- Don Bennett, representing Greater Stockton Emergency Food Bank, 1493 E. Woodbridge Road, Woodbridge, reported that their program has been in existence for 25 years. They have supported a pantry in Lodi for five years and recently added a specialty pantry at Lodi Memorial Hospital serving 90 families. In addition, they support Loel Senior Center clients with food on weekends and are active in Lawrence and Heritage Schools and the Community Partnership for Families. They provided food for last year's Celebration on Central event and have assisted 11 families in Lodi due to a special need after hours.

Council Members Hitchcock and Land agreed that because the truck is used countywide, funds for the vehicle purchase should be shared by all cities that receive benefits.

- Lois Borchardt, representative from the Lodi Branch of the Women's Center of San Joaquin County, 1214 W. Oak, Lodi, explained that their services are provided by volunteer peer counselors and a Program Director. They provide one-on-one counseling, support groups, temporary restraining orders, court accompaniment, and a safe house. Last year over 363 victims of violence were assisted at the Women's

Center in Lodi. Ms. Borchardt requested Council approval of funds to replace their roof and install a new furnace and air conditioning system.

Council Member Hitchcock announced that Ms. Borchardt recently received the Woman of the Year award from Senator Machado.

In response to Mayor Pro Tempore Pennino, Community Development Director Bartlam stated that any remaining CDBG funds could be reallocated during the year. The Greater Stockton Emergency Food Bank could reapply with a prorated fund request for the amount which represents service to Lodi.

Public Portion of Hearing Closed

MOTION / VOTE:

The City Council, on motion of Council Member Land, Hitchcock second, unanimously adopted Resolution No. 2001-58A entitled, "A Resolution Of The Lodi City Council Approving The Projected Use Of Funds For The 2001-2002 Community Development Block Grant (CDBG) And HOME Entitlement".

Further, the City Council, on motion of Mayor Pro Tempore Pennino, Hitchcock second, adopted Resolution No. 2001-58B entitled, "A Resolution of the Lodi City Council Approving the Projected Use of Funds for the 2001/2002 Community Development Grant (CDBG) for Lodi House". The motion carried by the following vote:

Ayes: Council Members – Hitchcock, Howard, Pennino and Mayor Nakanishi

Noes: Council Members – None

Absent: Council Members – None

Abstain: Council Members – Land

- F-2 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Nakanishi called for the Public Hearing to consider the Planning Commission's recommendation that the City Council 1) adopt a General Plan Amendment to change from PR, Planned Residential to NCC, Neighborhood Community Commercial; and 2) a rezoning from AU-20, Agriculture Urban Reserve to CS, Commercial Shopping, for a 15.5 acre portion of the property located at 302 State Route Highway 12, APN No. 058-030-01 and to initiate annexation of the property into the City of Lodi.

Community Development Director Bartlam stated that the annexation would provide a planning base for the property. It is staff's opinion that anything built from a shopping center perspective on this property needs to orient to Kettleman Lane. Without the balance of this site, the City would end up with a property that wants to orient to Lower Sacramento Road because of dimensional issues. If the property were not designated as Commercial it would have the underlying Planned Residential annexation. Mr. Bartlam stated that Commercial is the most appropriate designation given the other activities occurring in the surrounding area. This segment of Lower Sacramento Road and Kettleman Lane represents the last commercial property in the City.

In response to Mayor Pro Tempore Pennino's comment that Lodi needs more High Density, Mr. Bartlam reported that staff is working on some parcels to the north of Kettleman Lane within the West Side Plan area and will bring back a recommendation to Council to predesignate those properties from Planned Residential to a specific Multi-Family designation.

Mayor Pro Tempore Pennino questioned the location of the electrical substation on such valuable property. Mr. Bartlam indicated that there is a great deal of justification for that particular site selection and noted that there will be a substantial amount of landscaping in front of the substation for aesthetic purposes.

At the request of Mayor Nakanishi, City Engineer Wally Sandelin described the street improvement projects that will be in progress during the next 12 to 18 months.

Hearing Opened to the Public

- Randy Snider, 2328 Brittany Lane, Lodi, stated that he is one of the proponents of the application for annexation. The action requested is good planning for traffic flow and will allow development and orientation of future buildings to be consistent with the other three corners. They have accepted the responsibility for developing the parcel consistent with the limitations imposed by the City.

Public Portion of Hearing Closed

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Pennino, Howard second, unanimously took the following actions:

- Introduced Ordinance No. 1700 entitled, "An Ordinance Of The Lodi City Council Amending The Official District Map Of The City Of Lodi And Thereby Rezoning A 15.5 Acre Portion Of The Property Located At 302 State Route Highway 12 (APN 058-030-01) From AU-20, Agriculture Urban Reserve To CS, Commercial Shopping";
- Adopted Resolution No. 2001-59 entitled, "A Resolution Of The Lodi City Council Amending The Land Use Element Of The Lodi General Plan By Redesignating The Property Located At 302 State Route Highway 12, From PR, Planned Residential To NCC, Neighborhood Community Commercial"; and
- Adopted Resolution No. 2001-60 entitled, "A Resolution Of The Lodi City Council For Application To The San Joaquin County Local Agency Formation Commission In The Matter Of The Southwest Association Annexation/Reorganization, Including The Detachment Of Certain Territory Within The Area Proposed For Annexation To The City Of Lodi".

G. COMMUNICATIONS

- G-1 Claims filed against the City of Lodi – None
- G-2 Alcoholic Beverage Control License Applications – None
- G-3 Reports – None
- G-4 Appointments – None
- G-5 Miscellaneous – None

H. REGULAR CALENDAR

- H-1 "Authorize issuance of request for qualifications (RFQ) for space needs/use and concept design for the existing Public Safety Building; and to authorize the City Manager to negotiate a concept design contract for the proposed Civic Center parking structure with Watry Design Group of San Mateo"

City Engineer Wally Sandelin requested that Council authorize staff to move forward with seeking qualified consultants to prepare a space use and needs analysis on the existing public safety building, and to negotiate a contract with a design consultant for the preliminary design for the new parking structure that is planned for the parking lot on the east side of the City Hall building.

In response to Council Member Hitchcock, Community Development Director Bartlam explained that staff does not go through a bid process for professional design services. They determine, through interviews, the best-qualified company and then negotiate a contract for services based upon a scope of work.

In reply to Mayor Nakanishi, Mr. Bartlam reported that the parking structure at Sacramento Street between Pine and Elm Streets was not funded through the City's general fund. Staff obtained funds for the project through Measure K, Transportation Act, and Electric Utility. The parking structure downtown was geared toward relieving congestion of the multi-modal facility. The parking structure at the corner of Church and Elm Streets, adjacent to Fire Station #1, is needed due to the growing parking demand on the west side of the downtown area.

MOTION:

Council Member Land made a motion, Howard second, to authorize the issuance of a request for qualifications (RFQ) for space needs/use and schematic design for the existing Public Safety Building and authorize the City Manager to negotiate a schematic (concept) design contract for the proposed Civic Center parking structure with Watry Design Group of San Mateo.

COUNCIL DISCUSSION:

Council Member Hitchcock stated that she will vote in favor of the design; however, she is not convinced that there is a need for the parking structure at this time and is not necessarily in favor of building it from general fund dollars. She indicated that it appears the City is building the parking lot for the new theater.

Council Member Land emphasized the need for parking in the downtown area.

Mayor Pro Tempore Pennino pointed out that downtown businesses are not required to provide their own parking areas. He suggested that after the budget is approved, a Shirtsleeve Session be scheduled to further discuss the parking structure and downtown parking issues.

Mayor Nakanishi commented that he has received many complaints about parking congestion downtown.

VOTE:

The above motion carried by a unanimous vote.

- H-2 "Adopt resolution awarding the contract for Fire Station #4, 180 N. Lower Sacramento Road, to Tony Coyne, Inc. (\$1,628,369); and appropriate funds for the project"

City Engineer Sandelin reported that eight bids were received for Fire Station #4 and two were disqualified. There were two alternate items, each of which staff expected a deduction from the contract bid. The first alternate dealt with concrete finishes; however, they did not get a deduction and consequently staff is not recommending that Council approve the item as included in the bid. The second alternate was to delete some architectural features on the building. The deduction was not substantial enough in size that staff felt it was appropriate to remove those architectural features. By not approving alternates one or two in the bid, staff recommends that Council accept the base bid of \$1.28 million for Fire Station #4.

Mayor Pro Tempore Pennino pointed out that Council has not yet seen renderings of the Fire Station.

RECESS

At 8:33 p.m., Mayor Nakanishi called for a recess and the City Council meeting reconvened at 8:40 p.m.

REGULAR CALENDAR (Continued)

H-2 A model of Fire Station #4 was displayed for Council and described by a Fire  
(Cont'd.) Department representative.

MOTION / VOTE:

The City Council, on motion of Council Member Land, Howard second, unanimously adopted Resolution No. 2001-61 awarding the contract for Fire Station #4, 180 N. Lower Sacramento Road, to Tony Coyne Inc., of Lodi, in the amount of \$1,628,369; and appropriated funds in accordance with staff recommendation.

Council Member Hitchcock noted that the staff report indicates that there were insufficient impact fees for the structure.

In reply to questions by Council Member Hitchcock, City Manager Flynn reported that in total there were sufficient impact fees to pay for the structure; however, the cash balance in the one particular account was only \$144,000. He suspected the discrepancy was due to allocation.

E-6 "Authorize the City Manager to execute a professional services agreement with SNG & Associates, Inc., to provide professional staff support services for the Development Services Section of the Public Works Department"

Council Member Hitchcock questioned whether there is an ongoing need for personnel that is being filled by contract services.

City Manager Flynn replied that the Department is experiencing extraordinary growth right now in terms of development, but he anticipates it will eventually slow down.

City Engineer Sandelin explained that SNG & Associates will be preparing agreements for two specific development projects.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Pennino, Hitchcock second, unanimously authorized the City Manager to execute a professional services agreement with SNG & Associates Inc. to provide professional staff support services for the Development Services Section of the Public Works Department on an as-needed basis.

E-11 "Authorize an increase of \$3,000 to Council Member Hitchcock's Travel and Business Expense account from the contingency fund for the purpose of representing the City on various commissions, state policy and national committees"

In reply to Council Member Howard, Ms. Hitchcock reported that at the last League of California Cities Environmental Quality Committee meeting she was the only member that spoke up to support municipal utilities. The result of that meeting was that a policy was adopted which stated that the League would not support any legislation that was harmful to cities that had municipal utilities. Also, she consulted Electric Utility Director Vallow as to the effectiveness of serving as an alternate member to the Northern California Power Agency (NCPA) at the national level. He assured her that it would be beneficial to attend the meetings and remain knowledgeable about impacts of potential legislation.

Mayor Pro Tempore Pennino supported Ms. Hitchcock's request and encouraged all Council Members to get involved with the League at the local or national level.

Council Member Land agreed that it takes a great deal of time and money to attend meetings and serve on committees. He noted that he has served on the League of California Cities and currently serves on the San Joaquin County Housing Authority, San Joaquin County Parks and Recreation Commission, Local Area Formation Commission, and NCPA.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Pennino, Hitchcock second, unanimously authorized an increase of \$3,000 to Council Member Hitchcock's travel and business expense account from the contingency fund for the purpose of representing the City on various commission, state policy and national committees.

I. ORDINANCES

None.

J. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

K. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Council Member Hitchcock stated that she has received questions regarding the status of the PCE/TCE study.

City Attorney Hays replied that a closed session report would be scheduled to review the matter with Council.

- Mayor Nakanishi warned that it will likely be a hot summer and that Lodi will need to conserve electricity by 10%.

L. CLOSED SESSION – None

N. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 9:13 p.m.

ATTEST:

Susan J. Blackston  
City Clerk